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Application Serial No.: 10/655,960  
Amendment and Response to June 19, 2007 Non-Final Office Action

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A dual mode packet phone comprising:

a first connector to connect the phone with a data network, wherein the data network is a digital Voice-over-IP Ethernet network; and  
a second connector to connect the phone with a backup network, wherein the backup network is an analog network or a digital time division multiplexing (TDM) network;  
a communications channel to send a communication signal;  
a backup switch to connect the communications channel to the first connector or the second connector; and  
a control unit to monitor a first connection attempt initiated on the data network and, if a response to the first connection attempt is not received within a predetermined time, to control the backup switch to disconnect the communications channel from the first connector and to connect the communication channel to the second connector.

2. – 3. (Cancelled)

4. (Currently Amended) The phone of claim 1 further comprising a data network interface and ~~a control unit for sensing when the data network is non-functioning.~~

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5. (Cancelled)
6. (Original) The phone of claim 1 wherein the first connector is an RJ-45 Ethernet connector.
7. (Original) The phone of claim 6 wherein the second connector is an RJ-11 connector.
8. (Currently Amended) The phone of claim [5] 1 wherein the second connector is in communication with a bypass unit.
9. (Original) The phone of claim 1, further comprising a bypass unit and wherein:  
the first connector is an RJ-45 Ethernet connector to a local area network;  
the second connector is an RJ-11 connector to a bypass internal analog line;  
wherein a bypass unit activates the bypass internal analog line through the RJ-11 connector when the bypass unit senses an off-hook condition on said line.
10. (Original) The phone of claim 9, further comprising an analog trunk between the bypass unit and a Public Network.

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11.(Original) The phone of claim 10 further comprising a gateway analog line, and wherein in a normal of operation of the phone, the bypass unit connects the gateway analog line to the analog trunk.

12.(Original) The phone of claim 11, wherein the phone shares a set of analog trunks irrespective of whether the gateway analog line or the bypass internal analog line is passing voice information to the bypass unit.

13.(Original) The phone of claim 1, further comprising bypass and gateway external analog lines that are dedicated trunk circuits from the PSTN.

14. (Cancelled)

15. (Cancelled)

16.(Currently Amended) The phone of claim [15] 1 wherein the TDM network is a standard digital interface.

17. (Currently Amended) The phone of claim [15] 1 wherein the TDM network uses at least one of ISDN, Optiset, RolmLink, Nortel, or Avaya protocols is a proprietary digital interface.

18. – 20. (Cancelled)

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21. (Currently Amended) The phone of claim 1 further comprising:  
a voice processing unit for transmitting and receiving voice signals;  
a data network interface in communication with the first connector;  
a line interface in communication with the second connector, wherein;  
~~a-the backup switch that can selectively provides~~ a connection between the voice processing unit and either the line interface or the data network interface; and, and  
wherein  
~~a-the control unit having comprises~~ a bi-directional link with the voice processing unit, the data network interface, the line interface, and the backup switch.

22. (Cancelled)

23. (Cancelled)

24. (Currently Amended) The phone of claim [22] 1 wherein the backup network comprises an external analog line to a PSTN.

25. (Currently Amended) The phone of claim [22] 1 wherein the backup network comprises an internal analog line to a bypass unit.